

Section Six

The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specified information on

- A. the costs of the activities required to be carried out to meet the requirements of Title III;**
- B. the portion of the requirements payments which will be used to meet such requirements; and**
- C. the portion of the requirements payment which will be used to carry out other activities.**

Title III Requirements: Estimated Costs for each Item; Portion of requirements money to be allocated.

At the outset, it must be stated that the following projections and estimates of the use of requirements money are based on the information the State currently possesses regarding the amount of Title III funds New Jersey will receive. For the federal fiscal year of 2003, it is estimated that New Jersey will receive approximately \$23 million. Following the commentary is a chart of the projected or estimated costs for the Title III requirements and the other activities under HAVA. We add the caveat, as other states have provided in their State Plans, that the ability of New Jersey to succeed in the goals envisioned by HAVA will require federal funding for the two succeeding fiscal years of 2004 and 2005. If New Jersey does not receive federal monies for those years, it would cause an undue burden not only on the State but on the counties.

Voting Systems

In order to meet the voting system standards of Title III of HAVA, and as set forth in Section One of the Plan, lever voting machines must be replaced and otherwise accessible voting machines in other counties must be retrofitted to accommodate voters with visual impairments. It has also been determined that the electronic voting machines of Atlantic County must be replaced, along with the punch card absentee ballot counters in two counties. Further, there needs to be a determination on whether the voting machines in Passaic and Warren Counties are to be replaced or augmented with an additional accessible voting system. If there

were to be full replacement of those two counties' machines along with all the other replacement and adaptation needs, the estimated cost is approximately \$39 million.

As noted in Section One of the Plan, the State received close to \$17 million of Title I monies. Even if all of these funds were used for voting equipment, it clearly would not be a sufficient amount. The voting system needs of New Jersey, therefore, will require a substantial portion of Title III monies. Dependent upon full three-year federal funding, it is anticipated that the affected counties could receive at least 50% of the cost of their voting machine replacement and adaptation expenses.

Statewide Voter Registration

As stated in Section One of the Plan, New Jersey does not have a statewide voter registration system, as defined by HAVA. The registration system will have to include a central computer mainframe at the State level. It will be necessary to establish connectivity with the governmental offices identified in Section Two of the Plan. The State will need to contract for this system, which, at a minimum, will entail the purchase of software and hardware. It is estimated that the cost could be approximately \$20 million.

Provisional Balloting

New Jersey has had provisional balloting since 1996. This provisional balloting is currently funded and managed at the county level. While HAVA will likely result in the some increase in the use of provisional balloting, it is estimated that the cost will be minimal and will likely may not require the expenditure of any Title III monies. As for the free access system that the Attorney General must establish, it is estimated that this system can be initiated with the minimal investment in a toll-free telephone access number, with the State studying the feasibility of eventual Internet access. The sum of \$1 million is estimated to be needed to fully develop an Internet-based system.

Election Forms and Documents

To meet the requirements of HAVA, New Jersey will need to revise its voter registration forms and its absentee and provisional ballot materials. It is estimated that the initial costs for reprinting will be approximately \$500,000.

“Other Activities” for Which the Use of Requirements Payments is Anticipated.

Voter Education

Currently, in accordance with New Jersey election law, the public receives electoral information by way of legal notices in the newspapers and sample ballots which are sent to the registered addresses of voters in anticipation of upcoming elections. In addition to these legally mandated notices, election officials at the State and county levels will, at individual discretion, communicate with the



electorate through additional resources such as cable television access, the Internet, and public service announcements on the television and radio. Counties will also expand voter education efforts when a new voting system is being introduced into a county, by way of public demonstrations at a number of locations, and will likewise utilize cable television and the Internet.

It is intended that the State will expand voter education and outreach with the use of modern marketing techniques to reach all qualified citizens. There needs to be special emphasis on reaching voters with disabilities to encourage their full participation in elections. It is estimated that \$3 million will be needed for this purpose.

Disability Access

In addition to the installation of accessible voting systems, voter education and outreach for voters with disabilities, it is expected that there will be costs involved in assuring polling place accessibility and providing election materials in alternate forms. It is estimated that, in addition to the Section 261 funds, \$750,000 will be needed for this purpose.

Election Officials' Training

The Attorney General will develop formal training curricula and will provide classroom instruction for the county election officials and chief administrative support staff in those offices. The Attorney General also will develop a uniform training program, including a statewide board worker manual and classroom instruction, for district board workers. It is estimated that such programs could cost \$1 million, depending upon the selected method of financing. It would be appropriate to consider cost-sharing at all levels of government to enable the provision of continued training programs for future election officials and personnel.

Administrative Complaint Procedure

In accordance with Section 402 of HAVA, the State must establish an administrative complaint procedure for any alleged violations of HAVA. This will require New Jersey to expand the administrative procedure it developed under NVRA. This can be accomplished either by legislation or through administrative rulemaking. It is estimated that the expansion of this procedure will cost \$250,000 to implement this procedure.

State Management Costs

It is estimated that it will cost an estimated \$3 million for the State to undertake the management of a statewide voter registration system, to monitor the implementation of HAVA and to initiate standard educational criteria for election officials.

Allocation of Title III Funds

The estimated costs set forth in the above Chart amount to roughly \$68 million. For federal fiscal year 2003, it is anticipated that the State will receive approximately \$23 million, based upon the Congressional appropriation. We do not know with any certainty at this point if there will in fact be any future appropriations, although HAVA authorizes an appropriation of \$1 billion for fiscal year 2004 and an appropriation of \$600 million for fiscal year 2005.

The State will allocate a significant portion of the Title III funds to comply with the mandated requirements of Title III: compliant voting systems; a statewide voter registration system; a “free access” system for provisional ballot voters; and the revised voter registration form. Because of the significant portion of funds that will be required for the voting systems and the statewide voter registration system, the estimates for the “Other Activities” are conservative because of the present uncertainty of future federal funding. Funding for the “Other Activities” will increase if there is future funding.



Estimated Costs

The following is subject to full federal funding:

HAVA Requirements

I. Title III Requirements

Estimated Costs*

Deadline

A. Voting Systems (Sec. 301)

1. Replacement of lever machines	\$25.8M	2006
2. Replacement of Atlantic County machines	\$2.3M	
3. Replacement of punch card absentee ballot counters	\$75,000	
4. Adaptations for Accessibility	\$3M	
5. Replacement of voting machines in Passaic County	\$6M	
6. Replacement of voting machines in Warren County	\$1.5M	

B. Statewide Voter Registration (Sec. 303) \$20M 2006

C. Provisional Balloting (Free-access System (Sec. 302) \$1M 2004 (Mandatory)

D. Revised Forms and Notices (Sec. 302/303) \$500,000 2004 (Mandatory)

II. "Other" Activities

A. Disability Access (excluding voting systems) \$750,000

B. Administrative Grievance Procedure \$250,000 2004 (Mandatory)

C. Voter Education \$3M

D. Election Officials' Training \$1M

E. State Management \$3M

*Funding Sources - Sections under HAVA

<u>101</u>	<u>102</u>	<u>258 + 5% **</u>	<u>261**</u>
\$8,141,208	\$8,695,609	\$24.2M (fy 2003)	\$352,485

***Pursuant to Section 258 (requirements payments) and Section 261 (access for voters with disabilities payments) there should be an appropriations under these Sections for fiscal years 2004 and 2005. We do not know at this time the amounts New Jersey will receive in those years.*